



January 10, 2007

37-month prison sentence for bank fraud

Obstruction of justice results in additional prison time

A federal judge has sentenced **Franklin Lora**, of Dedham, Massachusetts, to 37 months in prison for a bank fraud that involved about \$80,000 in altered and stolen checks. Lora's sentence was almost two years longer than it would have been because, after pleading guilty to the bank fraud charge, he violated an order to stay away from a witness in the case, his former girl friend, and, after assaulting and raping her, fled to Florida.

United States Attorney Robert Clark Corrente announced the sentence, which Senior U.S. District Court Judge Ernest C. Torres imposed yesterday in U.S. District Court, Providence.

Lora pled guilty to the bank fraud charge in May. At the plea hearing, Assistant U.S. Attorney Andrew J. Reich said that the government could prove that Lora deposited four stolen and altered checks, totaling approximately \$80,000, into bank accounts that either he had opened, or others had on his behalf.

Under ordinary circumstances, Lora's offense would have called for a sentence of between 15 and 21 months. Assistant U.S. Attorney Reich asked Judge Torres to impose a longer sentence because of Lora's conduct after pleading guilty.

At the sentencing hearing yesterday, Assistant U.S. Attorney Reich presented evidence that, on June 16, while free on bond awaiting sentencing, Lora forced his former girlfriend into

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his car and drove to a dead end street in Providence, where he choked and raped her.

She had cooperated with the government in the investigation and prosecution of the bank fraud, after having helped Lora open bank accounts into which the stolen and altered checks were deposited.

Lora then fled to Florida, where deputy U.S. Marshals arrested him about a week later.

Assistant U.S. Attorney Reich argued that Lora's conduct, assaulting a witness and fleeing the jurisdiction, constituted obstruction of justice and warranted a sentencing enhancement. Moreover, he argued, the usual sentencing enhancement for obstruction of justice wouldn't adequately take into account the extraordinary nature of Lora's conduct, so the sentence should be even longer than called for in federal sentencing guidelines.

Judge Torres agreed that Lora had obstructed justice by violating a no contact order requiring him to stay away from the witness, and by fleeing to Florida, both in violation of conditions of his release. He also agreed that the sentencing guidelines enhancement was inadequate and departed upward from the guidelines.

The United States Secret Service investigated the bank fraud. The United States Marshals Service joined the investigation after the assault and flight.

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